

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA

v.

ANTHONY LEON GAINES

§  
§  
§  
§  
§

No. 4:21CR223  
Judge Mazzant

**ELEMENTS OF THE OFFENSE**

The defendant, Anthony Leon Gaines, is charged in Count One of the Information with a violation of 21 U.S.C. § 846, conspiracy to possess with the intent to manufacture and distribute methamphetamine. The essential elements which must be proved beyond a reasonable doubt in order to establish a violation of that section are as follows:

21 U.S.C. § 846

1. That you and one or more persons, in some way or manner made an agreement to commit the crime charged in the Information, that is, to possess with intent to manufacture and distribute methamphetamine;
2. That you knew the unlawful purpose of the agreement;
3. That you joined in the agreement willfully, that is, with the intent to further its unlawful purpose;
4. That the overall scope of the conspiracy involved 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine or 5 grams or more of methamphetamine (actual); and

5. That you knew or reasonably should have known that the scope of the conspiracy involved 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine or 5 grams or more of methamphetamine (actual).

Respectfully submitted,

BRIT FEATHERSTON  
UNITED STATES ATTORNEY

/s/\_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed via electronic mail to defense counsel on March 31, 2022.

/s/\_\_\_\_\_  
HEATHER RATTAN